

U.S. DISTRICT COURT  
N.D. OF N.Y.  
FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

NOV 16 2005  
LAWRENCE K. BAERMAN, Clerk  
UTICA

Plaintiff CIVIL ACTION NO. 1:01-CV-0851/DNH

vs.

BRIAN J. TOAL,  
Defendant.

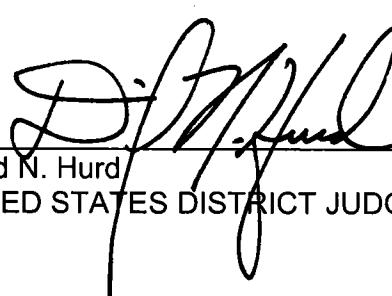
**ORDER GRANTING SUMMARY JUDGMENT**

The motion by the plaintiff, United States of America, for summary judgment pursuant to Fed. R. Civ. P. 56 having been taken on submit by this Court on November 10, 2005, and no one appearing in opposition to the motion, and it appearing to the satisfaction of the court that the plaintiff is entitled to judgment in its favor as a matter of law, it is

ORDERED THAT judgment be entered in favor of the plaintiff, and against the defendant, Brian J. Toal, in the sum of **\$27,764.70** which represents principal in the amount of \$16,793.15, and interest accrual as of November 10, 2005, in the amount of \$10,971.55, plus court filing fees in the amount of \$150.00 pursuant to 28 U.S.C. §2412; and post judgment interest at the statutory rate.

Dated: November 15, 2005

Utica, N.Y.

  
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David N. Hurd  
UNITED STATES DISTRICT JUDGE